

Notice of Allowability

Application No.

10/611,621

Examiner

David H. Malzahn

Applicant(s)

DEBES ET AL.

Art Unit

2193

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed 15 Nov. 2007.
2. ☒ The allowed claim(s) is/are 14-31.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 7/19/07 & 11/15/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


DAVID H. MALZAHN
PRIMARY EXAMINER

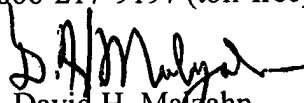
Art Unit: 2193

EXAMINER'S AMENDMENT

1. In claim 28 "Claim 28" has been changed to "Claim 27".
2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David H. Malzahn whose telephone number is (571) 272-3727. The examiner can normally be reached on M-Th from 7:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-ai An, can be reached on 571-272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


David H. Malzahn
Primary Examiner
Art Unit 2193



Substitute for form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Application Number	10/611,621
		Filing Date	June 30, 2003
		First Named Inventor	Peleg, Alexander
		Group Art Unit	2193
		Examiner Name	Malzahn, David
Sheet 1 of 2		Attorney Docket No: 42P15769	

US PATENT DOCUMENTS					
Examiner Initial *	Cite No ¹	USP Document Number	Publication or Issue Date MM-DD-YYYY	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
JH		US-4,761,753	08/02/1988	Izumisawa, Hiroyuki	
		US-5,636,351	06/03/1997	Lee, Ruby B.	
		US-5,712,797	01/27/1998	Descales, Bernard, et al.	
		US-5,734,874	03/31/1998	Van Hook, Timothy J., et al.	
		US-5,859,997	01/12/1999	Peleg, Alexander, et al.	
		US-5,983,256	11/09/1999	Peleg, Alexander, et al.	
		US-6,035,316	03/07/2000	Peleg, Alexander, et al.	
		US-6,385,634	05/07/2002	Peleg, Alexander D.	
		US-7,085,795	08/01/2005	Debes, Eric, et al.	
US-4,760,525 07/26/1988 Webb					



FOREIGN PATENT DOCUMENTS					
Examiner Initials *	Cite No ¹	Foreign Patent Document Country Code/Number/Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear T ²
		FR-2563349	10/25/1985	CARLAC, JEAN-CLAUDE, et al.	

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
JH		"TRANSMETA CORPORATION'S RESPONSES TO INTEL CORPORATION'S FIRST SET OF INTERROGATORIES (NOS. 1-20)", In the United States District Court for the District of Delaware, In the matter of Transmeta Corporation v. Intel Corporation, (05/21/2007), 42 pages	
		CONVEX COMPUTER CORPORATION, "C4/XA Architecture Overview", Convex Technical Marketing, (Feb. 1994), 279 pages	
		CONVEX COMPUTER CORPORATION, "Convex C3400 Supercomputer System Overview", Revision 2.01, (07/24/1991), 55 pages	
		CONVEX COMPUTER CORPORATION, "Saturn Architecture Specification", (04/29/1993), 88 pages	
		INTEL CORPORATION, "Intel 80386 Programmer's Reference Manual", (1986), 421 pages	
		KOHN, L., et al., "The Visual Instruction Set (VIS) in UltraSPARC", SPARC Technology Business - Sun Microsystems, Inc., (1995), pages 462-469	
		LAMPORT, LESLIE, "Multiple Byte Processing With Full-Word Instructions", ACM, (1975), pages 471-475	
		LAWRENCE LIVERMORE LABORATORY, "S-1 Uniprocessor Architecture", (4/21/1983), 386 pages	
		LAWRENCE LIVERMORE LABORATORY, "Volume I: Architecture - The 1979	

EXAMINER D. H. Malzahn DATE CONSIDERED 11/28/07

Based on PTO/SB/08A(06-06) - Substitute Disclosure Statement Form (PTO-1449) as modified by BSTZ 03/28/07
 * EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>	<i>Complete if Known</i>	
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	First Named Inventor	Peleg, Alexander
	Group Art Unit	2193
	Examiner Name	Malzahn, David
Sheet 2 of 2	Attorney Docket No: 42P15769	

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Annual Report - The S-1 Project", 443 pages	
		LAWRENCE LIVERMORE LABORATORY, "Volume II: Architecture - The 1979 Annual Report - The S-1 Project", 366 pages	
		MANFERDELLI, JOHN L., et al., "Signal processing aspects of the S-1 multiprocessor project", SPIE Vo. 241 Real-Time Signal Processing III, (July 1980), pages 224-231	
		TEXAS INSTRUMENTS, "TMS320C2X User's Guide", (1993), 4:122	
		WIDDOES JR., L. C., "The S-1 Project: Developing High-Performance Digital Computers", IEEE Computer Society, (12/11/1979), pages 1-10	

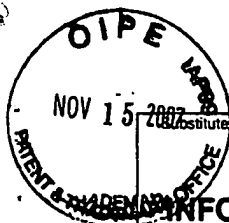
EXAMINER

D.H. Malzahn

DATE CONSIDERED

11/28/07

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/DHM/		"Final Joint Claim Construction Chart", <u>In the United States District Court for the District of Delaware, In the Matter of Transmeta Corporation v. Intel Corporation, C.A. No. 06-633 (GMS), (10/10/2007), pages 1-215</u>	
/DHM/		"Intel Corporation's Opening Claim Construction Brief", <u>In the United States District Court for the District of Delaware, In the Matter of Transmeta Corporation v. Intel Corporation, C.A. No. 06-633-GMS, (10/19/2007), pages 1-76</u>	
/DHM/		"Intel Corporation's Responses to Transmeta's First Set of Interrogatories to Intel Corporation (Nos. 1-24)", <u>In the United States District Court for the District of Delaware, In the Matter of Transmeta Corporation v. Intel Corporation, C.A. No. 06-633-GMS, (5/18/2007), pages 1-132</u>	
/DHM/		"Intel Corporation's Supplemental Responses to Transmeta Interrogatory Nos. 8, 9, 12, 19 and 21-23", <u>In the United States District Court for the District of Delaware, In the Matter of Transmeta Corporation v. Intel Corporation, C.A. No. 06-633-GMS, (8/23/2007), pages 1-27</u>	
/DHM/		"Transmeta Corporation's Amended and Supplemental Responses to Intel Corporation's First Set of Interrogatories (Nos. 1, 3, 4, 5, 8, 13, 15)" (Redacted Version)", <u>In the United States District Court for the District of Delaware, In the Matter of Transmeta Corporation v. Intel Corporation, C.A. No. 06-633-GMS, (8/23/2007), 84 pages (including Exhibits 15-18 totaling 46 pages)</u>	
/DHM/		"Transmeta Corporation's Opening Claim Construction Brief", <u>In the United States District Court for the District of Delaware, In the matter of Transmeta v. Intel Corporation, C.A. No. 06-633-GMS, (10/19/2007), pages 1-66</u>	
/DHM/		HANSEN, CRAIG , "Terpsichore System Architecture", <u>MicroUnity Systems Engineering, Inc., (8/2/1995), 380 pages</u>	
/DHM/		IBM, INC., "The PowerPC Architecture", (May 1994), 533 pages	
/DHM/		MARGULIS, NEAL , "i860 Microprocessor Architecture", <u>McGraw Hill, Inc., (1990), Ch. 1-3 (86 pages)</u>	
/DHM/		TRANSMETA CORPORATION, "Transmeta Announces Settlement of Patent Litigation, Technology Transfer and License Agreement with Intel", <u>Press Release, printed from the Internet site (http://investor.transmeta.com/releasedetail.cfm?ReleaseID=271024), (10/24/2007), one page</u>	

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